

**REGULAR MEETING MINUTES OF THE BOROUGH OF OGDENSBURG  
LAND USE BOARD FOR  
March 26, 2024, AT THE OGDENSBURG  
MUNICIPAL BUILDING, 14 HIGHLAND AVE.  
OGDENSBURG, AT 7:00pm**

Chairman Elliott Honig called the meeting to order.

Chairman Honig led the Pledge of Allegiance.

**STATEMENT OF COMPLIANCE**

The notice requirement of P.L. 1975, Chapter 231, Sections 4 and 13 have been satisfied with a schedule of all meetings together with the time, location and agenda of same being sent to the NEW JERSEY HERALD and the NEW JERSEY SUNDAY HERALD and posted on the bulletin board at the Borough Hall on January 24, 2024.

**ROLL CALL:** Fierro, Fitzgibbons, Honig, Mayor Hutnick, Nasisi, Poyer

Absent: Marceau

Also present: Matthew Lynch, Attorney from Dolan and Dolan

**APPROVAL OF THE MINUTES**

Mr. Fierro made a motion to approve the meeting minutes for February 27, 2024. Seconded by Mr. Nasisi.

**Upon Roll call Vote:**

Yeas: Fierro, Fitzgibbons, Honig, Hutnick, Nasisi, Poyer

Nays: None Absent: Marceau Abstain: None

**APPLICATIONS FOR COMPLETENESS**

There are no applications for completeness

**APPLICATIONS TO BE HEARD**

There are no applications to be heard

**OLD BUSINESS/NEW BUSINESS**

**Local Planning Services Grant -**

No update

**Draft Ordinance for BC Zone changes**

Chairman Honig commented we have in front of us a draft ordinance for the BC zone changes; this is the ordinance we spoke about at the last meeting. There are a few updates, including signage and an addition auto motor service repairs. Our goal is to make sure this falls under what we are looking for so that we can refer this to Council

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Chairman Honig referred to section 4 the required parking. Chairman Honig commented we have a couple of options; the original change which we based off of some advice from Mr. Thomas, then we had some requests from the zoning officer. We are looking to see which option the Board would like it to be. Chairman Honig read the two options in the Board packets.

Mayor Hutnick referred to the options changing the language to zoning officer; it gives the zoning officer the decision to decide and if he doesn't like it they would have to come to the Board.

Chairman Honig commented in the event of the denial of the zoning officer an appeal can be sent to the Board, that was in Mr. Thomas's letter.

Mayor Hutnick commented if you look around town with the ordinance written this way it really isn't going to be an issue it really applies to Main Street and the buildings aren't getting bigger or smaller.

Chairman Honig commented with that being said he is going to ask for a motion to leave at what we originally put in there which was "The above parking requirement maybe waived by the zoning officer if the site under consideration contains a pre-existing structure and has little or no undeveloped land area available to meet these parking requirements." Chairman Honig commented this was originally the one we went back and forth on.

Chairman Honig commented we would need a motion for that.

There was a discussion on the two options in the ordinance for parking.

Chairman Honig commented to clarify the motion, it would be to approve the ordinance to pass on to Council understanding section 4 I. 3 should read "The above parking requirement maybe waived by the zoning officer if the site under consideration contains a pre-existing structure and has little or no undeveloped land area available to meet these parking requirements."

Mr. Fierro commented he will make that motion. Seconded by Mayor Hutnick.

**Upon Roll call Vote:**

Yeas: Fierro, Fitzgibbons, Honig, Hutnick, Nasisi, Poyer

Nays: None Absent: Marceau Abstain: None

Chairman Honig commented the next step this is to go to Council. Ms. Hough explained it will be before Council at their April 8 meeting, then go back the Land Use Board April 23 then back to Council for adoption.

**PUBLIC PORTION**

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Mr. Nasisi made a motion to open to the public. Seconded by Mayor Hutnick. All were in favor.  
Robert Bowley, 41 Yurchak Road, Ogdensburg.

Mr. Lynch wore in Mr. Bowlby.

Mr. Bowlby questioned the signs on Yurchak Road regarding the auction of properties on Yurchak.

Mayor Hutnick explained the on-line auction of Borough owned properties.

There was a brief discussion on Borough owned properties.

Mr. Nasisi made a motion to close to the public. Seconded by Councilman Poyer. All were in favor.

**CORRESPONDENCE**

Chairman Honig explained the correspondence.

- CCO and Zoning Report
- Letter dated March 18, 2024 from Tom Dixon, Zoning Officer re: Zoning Denial.

There was a brief discussion on the zoning denial.

**BILLS/VOUCHERS**

There were no bills or vouchers to approve.

**Zoning Map & zoning ordinance review**

Chairman Honig referred to the CR Zone asking if the Board had any recommended changes.

Mr. Fierro asked in section A why are we eliminating the potential of a drive-in especially in that zone.

Chairman Honig commented he doesn't have an answer for that; would we then have to write something specific for a drive in.

There was a discussion on a drive in, would the Board allow with a site plan approval, others have asked for a drive thru, have a drive thru limited within a zone, designating a type of establishments, making a drive thru a conditional use to go before the Board, if it isn't listed it isn't allowed and the day care site used to be a bank with a drive thru.

Chairman Honig commented right now we have number 2 only to restaurants and add under section C drive thru/in we will consider a definition of that.

Chairman Honig commented adult uses he would like to remove.

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Mayor Hutnick explained that use is in there because at one point there was a video store back in the 80's that had an adult section in it back.

There was a discussion on adult uses.

Chairman Honig commented we already discussed smoke shop because we said no to that; is that correct.

Chairman Honig asked if there was any further discussion on CR. We will move forward which means next meeting LIC will be discussed.

**ADJOURN**

Mayor Hutnick made a motion to adjourn. Seconded by Councilman Poyer. All were in favor.

Chairman Honig adjourned the meeting approximately 7:41pm.

Prepared by  
Robin Hough, RMC/CMR